

Notice of Allowability

Application No.

09/942,006

Examiner

Dzung D Tran

Applicant(s)

KARLQUIST, RICHARD K.

Art Unit

2633

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/28/2001.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☒ The drawings filed on 08/28/2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

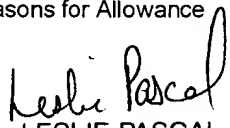
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


LESLIE PASCAL
PRIMARY EXAMINER

DETAILED ACTION

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert Martin on 08/23/2004.

In claim 1, lines 7-8, changed from "said down-conversion and said up-conversion" to "a down-conversion and an up-conversion".

Allowable Subject Matter

2. Claims 1-26 are allowed. The following is an examiner's statement of reasons for allowance: The prior art of records does not teach or suggest the limitations

" means for controlling variations in capacitance of said FTD to produce a reciprocal conversion response between a down-conversion and an up-conversion, said means for controlling variations in capacitance of said FTD including: at least one light-activated resistor (LAR) connected to down-convert an RF to an IF and to up-convert an IF to an RF; and a source of modulated light that is optically connected to said at least one LAR, said source of modulated light generating modulated light that is related to said LO, said at least one LAR being activated in response to said modulated light from said

Art Unit: 2633

modulated light source" in claims 1, 9, 14 and 22. The closest prior art, Strutz et al. (US 6,643,417) discloses All optical image reject down-converter and Weissman et al. (US 6,501,942) disclose In-building radio frequency coverage, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Ohya et al. U.S. patent no. 6,556,327. Signal converter, optical transmitter and optical fiber transmission system
- b. Westbrook et al. U.S. patent no. 6,731,880. Telecommunication system
- c. Farhan et al. U.S. patent no. 6,373,611. Digital optical transmitter


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dzung Tran whose telephone number is (571) 272-3025.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Jason Chan, can be reached on (571) 272-3022.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2633

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


LESLIE PASCAL
PRIMARY EXAMINER